

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Richard LEVY)
) Group Art Unit: 1774
Serial No.: 10/614,114)
)
Filed: July 7, 2003) Examiner: Jill Gray
)
For: SUPERABSORBENT POLYMER)
)
COMPOSITIONS ON A)
)
SUBSTRATE (AS AMENDED))

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

AMENDMENT PURSUANT TO 37 C.F.R. § 41.50 (c)

Applicant responds to the February 27, 2009 decision of the Board of Patent Appeals and Interferences ("the Board") which affirmed the examiner in part and reversed the examiner in part. In that decision the Board reversed all of the rejections of the claims except the rejection of claim 91 under 35 U.S.C. § 112, second paragraph, but stated that the amendment proposed by applicant to eliminate the term "surface" from the phrase "surface comprising" at the end of paragraph (1) of claim 91 would overcome the 35 U.S.C. § 112, second paragraph rejection. Applicant points out that the examiner made no other rejection of claim 91 other than the 35 U.S.C. § 112, second paragraph rejection.

This amendment deletes the term "surface" from claim 91 and applicant submits that this places the application in condition for allowance of all of the claims, and respectfully requests the examiner to enter this amendment and issue a Notice of Allowance.

The time for taking action in this application is governed by 37 C.F.R. § 1.304 which gives applicant two months from February 27, 2009 for continuing the prosecution of this

Application No. 10/614,114
March 5, 2009 Amendment
Customer Number 34,986

application. This time cannot be extended. Applicant therefore respectfully requests the examiner to respond to this amendment by April 27 2009.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.